

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DAVID ELIJAH BOWERS, JR.,

Plaintiff,

v.

ORDER

09-cv-194-bbc

JANEL NICKEL, CAPTAIN RADKT,
L.T. JOHNSON, NEUHAUSER,
PULVER, SALENE, VANDENBROOK,
MARSHAL, SARAH WATSON,
NINAKU CANADY, MICHAEL THURMER,
MICHAEL MEISENER, DON STRAHOTA,
CAPTAIN GARRISON, TRAVIS S. CAUL
and MARK LEISATZ,

Defendants.

This case was dismissed without prejudice on May 28, 2009 when plaintiff failed to submit the initial partial payment of the \$350 fee for filing this case pursuant to the 1996 Prisoner Litigation Reform Act. On February 18, 2010, I denied plaintiff's "Extraordinary Writ Fed R. Civil P. Rule 21." Now before the court is plaintiff David Elijah Bowers's motion for reconsideration of that decision. Plaintiff has presented no facts or legal argument that persuade me that I should reconsider my prior decision.

As I have stated previously, because plaintiff's case was dismissed without prejudice, if plaintiff is able to make an initial partial payment in the future or enough time elapses that a six-month trust fund account statement would show that plaintiff has no means to make an initial partial payment, he may move to reopen this case. However, without a partial payment or a showing that he has no means to make such a payment, his case will remain closed.

ORDER

IT IS ORDERED that plaintiff David Elijah Bowers's motion for reconsideration, dkt. #14, is DENIED.

Entered this 19th day of July, 2010.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge